

14783. Adulteration and misbranding of butter. U. S. v. 500 Pounds of Butter. Consent order of destruction entered. (F. & D. No. 20753. I. S. Nos. 3108-x, 3148-x. S. No. C-4906.)

On December 11, 1925, the United States attorney for the Western District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 500 pounds of butter, remaining in the original unbroken packages at Superior, Wis., alleging that the article had been shipped by the Henriette Creamery Co., West Duluth, Minn., in part on or about November 30, 1925, and in part on or about December 4, 1925, and transported from the State of Minnesota into the State of Wisconsin, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Churned from Pure Cream Henriette Butter Henriette Creamery Co., Inc. West Duluth, Minn. Henriette, Minn."

It was alleged in substance in the libel that the article was adulterated, in that a substance deficient in butterfat had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and in that it contained less than 80 per cent by weight of milk fat.

Misbranding was alleged for the reason that the statement, "Churned from Pure Cream Henriette Butter," was false and misleading and deceived and misled purchasers, in that the product was not butter but was an imitation of butter and was offered for sale under the distinctive name of Henriette butter.

On May 7, 1926, all parties in interest having consented to the taking of judgment, upon a finding by the court that the material allegations of the libel were true, it was ordered that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14784. Adulteration of tomato catsup. U. S. v. 70 Cases, et al., of Tomato Catsup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 20713, 20745, 20746. I. S. Nos. 9504-x, 9505-x, 9507-x, 9508-x. S. Nos. C-4902, C-4922.)

On December 11, 1925, and January 4, 1926, respectively, the United States attorney for the Western District of Tennessee, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 621 cases of tomato catsup, remaining in the original packages at Memphis, Tenn., alleging that the article had been shipped by the Geo. Van Camp & Sons Co., from Westfield, Ind., on or about October 17, 1925, and transported from the State of Indiana into the State of Tennessee, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Geo. Van Camp's Tomato Catsup * * * Geo. Van Camp & Sons Co. Westfield, Ind."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance, which rendered it unfit for food.

On January 3, 1927, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

14785. Adulteration and misbranding of butter. U. S. v. Thomas J. Fenn and William T. Laird (Valdosta Creamery). Pleas of nolo contendere. Fines, \$50. (F. & D. No. 19743. I. S. Nos. 6424-x, 6425-x, 6485-x, 6486-x.)

On April 19, 1926, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas J. Fenn and William T. Laird, trading as the Valdosta Creamery, Valdosta, Ga., alleging shipment by said defendants, in violation of the food and drugs act as amended, in various consignments, on or about July 27 and August 1, 1925, respectively, from the State of Georgia into the State of Florida, of quantities of butter which was adulterated and misbranded. The article was labeled in part: (Package) "Fancy Creamery Butter * * * One Pound Net Weight When Packed."

Adulteration of the article was alleged in the information for the reason that a substance containing less than 80 per cent by weight of milk fat had